

SENATE BILL 2708

By Cooper

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 4, Part 1, relative to chiropractors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-4-102, is amended by deleting the section in its entirety, and by substituting instead the following language:

(a) There shall be a board of chiropractic examiners, herein referred to as "board," consisting of five (5) chiropractic physicians, residents in Tennessee who have been actively engaged in the practice of their profession in Tennessee for a period of at least five (5) years, and two (2) consumer members who are not affiliated with the practice of chiropractic. The members of the board shall be appointed by the governor and shall hold office for a term of five (5) years commencing on May 1 and expiring on April 30, five (5) years thereafter.

(b) All vacancies occurring on the board by reason of death or resignation shall be filled by the governor for the unexpired term.

(c) In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

(d) In order to stagger the terms of office, for the year 2000 the governor shall appoint the board members for transition terms in the following manner:

(1) One (1) chiropractic physician and one (1) consumer member for one (1) year with the term to expire on April 30, 2001.

(2) One (1) chiropractic physician for a two (2) year term to expire on April 30, 2002.

(3) One (1) chiropractic physician for a three (3) year term to expire on April 30, 2003.

(4) One (1) chiropractic physician and one (1) consumer member for a four (4) year term to expire April 30, 2004.

(5) One (1) chiropractic physician for a five (5) year term to expire April 30, 2005.

(e) Any person appointed shall be eligible for successive appointments, in the discretion of the governor, and all members shall hold office until the appointment of their successors.

(f) No chiropractor shall be eligible for appointment unless such chiropractor is actively engaged in the practice of the profession of chiropractic.

(g) Further, no persons shall be eligible for appointment on the board who at the time are actively engaged in the practice, or holding themselves out as practitioners, of any other branch of the healing arts.

(h) The governor has the discretion to seek recommendations and nominations from the Tennessee Chiropractic Association in making appointments to the board.

(i) The board is authorized to annually elect from among its members a president, vice president, and secretary, and to create such officers it deems necessary for its efficient operations. Four (4) members of the board shall constitute a quorum, and a majority of those present shall be necessary to pass or reject any official business.

(j) The board shall be provided administrative support by the division of health related boards, hereinafter referred to as the "division."

SECTION 2. Tennessee Code Annotated, Section 63-4-108, is amended by deleting the section in its entirety and by substituting instead the following language:

Any person of good moral character is eligible for licensure, if that person:

(1) Is a graduate of a chiropractic college having status with the commission on accreditation of the council on chiropractic education or its successor, or graduated from an international chiropractic college approved by the board;

(2) Has attended a chiropractic college for four (4) school years of not less than nine (9) months each; and

(3) Submits to the board proof of additional Parachiropractic education as follows:

(A) For applicants matriculation in a chiropractic college prior to year 2000, the applicant must provide a transcript of grades showing a minimum of two (2) full academic years of college or university work of at least sixty (60) semester hours or its equivalent from an accredited institution.

(B) For applicants matriculating in a chiropractic college in year 2000 and beyond, proof that a bachelor's level education or its equivalent has been obtained from an accredited college or university.

SECTION 3. Tennessee Code Annotated, Section 63-4-109, is amended in subsection (a) by deleting the word "examination" and by substituting instead the word "licensure" and by deleting subsection (c) in its entirety and by substituting instead the following language:

(c) All applications shall be signed and sworn to by the applicant.

SECTION 4. Tennessee Code Annotated, Section 63-4-110, is amended by deleting the section in its entirety and by substituting instead the following language:

(a) The examination of applicants for a license to practice chiropractic will consist of the national board examination parts 1, 2, 3, 4, and physical therapy. Each applicant must successfully pass all examinations before receiving a license to practice.

SECTION 5. Tennessee Code Annotated, Section 63-4-111, is amended by deleting the section in its entirety, and by substituting instead the following language:

Applicants possessing a valid unrestricted license to practice chiropractic in another state or other regulated jurisdiction for a period of two (2) full years are not required to be examined pursuant to §63-4-110 and may obtain a license by fulfilling the following:

(1) Providing documentation from the state or jurisdiction of prior practice attesting to the length of time in practice, along with any disciplinary action taken against the license while in practice;

(2) Passing the Special Purposes Examination for Chiropractors (SPEC) by the national board or its successor;

(3) Fulfill all other sections of this part.

SECTION 6. Tennessee Code Annotated, Section 63-4-112, is amended as follows:

(1) subsection (c) is amended by deleting subdivision (1) in its entirety and by substituting instead the following language:

(1) The board shall renew such licensee's certificate of fitness upon application made in due form and upon payment of all required fees;

(2) when requested, licensees shall provide the board satisfactory proof of the licensee's attendance at a chiropractic education program or programs conducted by either the American Chiropractic Association, the International Chiropractors Association, the Tennessee Chiropractic Association, the Tennessee Chiropractic

Society or any other educational program approved or conducted by the board, which consists of the minimum number of hours established hereunder for the period beginning the preceding January 1. Prior approval of such a course may be obtained by submitting the following information to the board's administrative office at least thirty (30) days prior to the schedule date of the course:

- (A) A course description or outline;
- (B) Names of all lecturers;
- (C) Brief resume of all lecturers;
- (D) Number of hours of educational credit requested;
- (E) Date of course;
- (F) Copies of materials to be utilized in the course; and
- (G) How verification of attendance is to be documented.

Each chiropractic physician must retain independent documentation of continuing education hours attained for a period of four (4) years from the end of the calendar year in which the training is received. Such proof must be produced for inspection and verification, if requested in writing by the board during its verification process.

(2) Subsection (c) is further amended by redesignating present subdivision (2) as subdivision (3) and present subdivision (3) as subdivision (4).

(3) Subsection (e) is amended by deleting the last sentence in its entirety, and by substituting instead the following language:

If such person thereafter desires to reengage in such practice in this state, such person shall apply for reinstatement with the board on a form provided by the board, provide proof of continuing education as established by the board, and shall meet other requirements as may be set by the board.

SECTION 7. Tennessee Code Annotated, Section 63-4-120, is amended by deleting the section in its entirety, and by substituting instead the following language:

The board may issue an externship certificate to practice chiropractic, to be used only under supervision of a licensed chiropractor, upon payment of a fee as set by the board, to a chiropractor who meets all qualifications and requirements for licensure pursuant to this chapter and who has applied to take the examinations as provided in §63-4-110.

(1) Externs will be allowed to perform all diagnostic tests and therapeutic interventions as allowed providers licensed by this part.

(2) Externship is to last no longer than three hundred sixty-five (365) days from date of certificate issuance. Applicants who provide proof of illness or hardship that hindered their ability to comply with §63-4-110 may, at the board's discretion, be allowed a second year of externship.

(3) The board may revoke an extern's certificate for violation of any portion of this part for failure to maintain proper supervision. Supervision is defined as direct oversight by a Tennessee licensed chiropractor. The supervisor shall be on the facility premises while the extern is conducting patient care.

(4) The board reserves the right to adopt any rules and regulations as the board may deem appropriate for externs and the administration of externship program.

(5) One hundred dollars (\$100) shall be the administrative fee for applying to and participating in the externship program for each year of externship.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.